

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR142
)	
v.)	
)	
DAVID W. KOFOED,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's motion in limine (Filing No. [46](#)). The defendant seeks to prevent the government from mentioning during voir dire, opening statements or any other phase of the trial any theory or suggestion that defendant planted or manufactured the blood DNA evidence that was found by defendant on April 27, 2006. The government has filed a response to that motion (Filing No. [56](#)), in which the government advises that it has no objection to defendant's motion in limine and will not mention or discuss during voir dire, opening statements or any other phase of the trial that defendant planted or manufactured the blood evidence in question unless the door to such references is opened by the defendant. Accordingly,

IT IS ORDERED that defendant's motion in limine is granted.

DATED this 20th day of August, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court